

REMARKS

Claims 1-15 are pending in the application. Claims 1-15 were rejected.

The Examiner objected to claim 10 under 37 CFR 1.75 as being a substantial duplicate of claim 11. Claim 10 has been cancelled by this amendment. Applicants submit that this overcomes the Examiner's objection and request withdrawal of this objection.

Claims 2-3 and 9-11 were rejected under 35 U.S.C. 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, the Examiner objected to the use of the term 'said scanning,' which has been replaced by amendment to the claims to refer to 'said imaging.' As the term 'imaging' is used in the respective independent claims, Applicants submit that these amendments overcome the Examiner's objections and request withdrawal of this rejection.

Claims 1-15 are rejected under 35 U.S.C. 102 (b) as being anticipated by Schmid, et al., (US Patent No. 5,659,164), referred to here as 'Schmid.' Applicants respectfully disagree.

With regard to claims 1 and 8, Schmid does not teach nor suggest 'locating a control image,' as that phrase is defined by Applicants' specification. As discussed in Applicants' specification on page 1, the system disclosed by Schmid requires that the control image or images for each job be on the first page of the stack of papers making up the scan job. See also Schmid, Figures 1 and 2A-2C. Applicants' specification discusses that locating the control image involves locating the control image on each page in the job, not just locating the image on the first page. Applicants have amended claims 1 and 8 to further point out and clarify this difference, and not for purposes of patentability. Therefore, applicants submit that claims 1 and 8 are patentably distinguishable over the prior art and request allowance of these claims.

With regard to claims 2 and 9, Schmid does not teach that the imaging job is an image acquisition task, where the control images may be located anywhere within the imaging job. Similarly, Schmid does not teach that the imaging job is an image reproduction task, where the control images may be located anywhere within the imaging job, with regards to claims 3 and 11. Therefore, Applicants submit that claims 2, 3, 9 and 11 are patentably distinguishable over the prior art and request allowance of these claims.

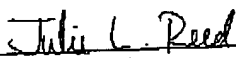
With regard to claims 4 and 12, 5 and 13, and 6 and 14, Schmid does not teach that the control image in any of the formats be located anywhere within the imaging job. Therefore, Applicants submit that claims 4, 5, 6, 12, 13 and 14 are patentably distinguishable over the prior art and request allowance of these claims.

With regard to claims 7 and 15, Schmid does not teach locating a second control image for the same imaging job. The control image is provided in two different orientations, so the scanner can locate a usable control image, but does not actually locate a second control image for the same job. Schmid allows that several jobs may be stacked together, but each time the system disclosed in Schmid locates another control image, it is assumed to be for a new job, and therefore is not for the same imaging job. Applicants submit that claims 7 and 15 are patentably distinguishable over the prior art and request allowance of these claims.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. A method for controlling scanning devices using control sheets, comprising the [steps of] method comprising:
 - [a] starting an imaging job;
 - [b] locating a control image within said imaging job, wherein the control image could be located anywhere within the imaging job;
 - [c] processing control instructions from said control image; and
 - [d] creating output in accordance with said control instructions.
2. The method as claimed in claim 1 wherein said [scanning] imaging job is an image acquisition task.
3. The method as claimed in claim 1 wherein said [scanning] imaging job is an image production task.
7. The method of claim 1 wherein said method includes [the steps of] locating a second control image for that imaging job and processing that control image.
8. A method for controlling imaging devices using control sheets, the method comprising [the steps of]:
 - [a] starting an imaging job;
 - [b] locating a control image within said imaging job, wherein the control image could be located anywhere within the imaging job;
 - [c] creating output for said imaging job; and
 - [d] processing control instructions from said control image and using said control instructions for managing said output.
9. The method as claimed in claim 8 wherein said [scanning] imaging job is an image acquisition task.
10. Please delete claim 10.

11. The method as claimed in claim 8 wherein said [scanning] imaging job is an image production task.

15. The method of claim 8 wherein said method includes [the steps of] locating a second control image for that imaging job and processing said second control image.